

1 CC TO JUDGE *[Signature]* The Honorable Thomas S. Zilly  
2

3 LSC

4 2003 DJ

5 CL  
6 WLS

7 CV 02 02184 #00000035

8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

10 JOEL HODGELL and ED KONEK,  
11 Plaintiffs,

12 v  
13 SAMSON DISTRIBUTING, INC , SDI,  
14 LEGALSTEROIDS COM and SDI-LABS COM

15 Defendants

16 NO C02-2184Z

17 STIPULATION OF DISMISSAL  
18 WITH PREJUDICE [Fed. R. Civ. P.  
19 41(1)(ii)]

20 WHEREAS, the instant action was filed on September 25, 2002 in the Superior Court for  
21 King county,

22 WHEREAS Defendants Samson Distributing, Inc , SDI, LEGALSTEROIDS COM and  
23 SDI-LABS COM ("Defendants") filed a notice of removal on October 22, 2002, and removed  
24 the action to this Court,

25 WHEREAS, Plaintiffs Joel Hodgell and Ed Konek, and Defendants have executed a  
26 "Settlement Agreement and General Release of Claims" (the "Agreement") and have fully and  
27 finally settled all claims and disputes between them arising out of the instant action, and  
28

STIPULATION OF DISMISSAL WITH PREJUDICE  
C02-2184Z - Page 1

29  
30 NEWMAN & NEWMAN, ATTORNEYS AT LAW, LLP  
31 1001 Fourth Avenue Plaza, Suite 2560  
32 Seattle, Washington 98154  
33 phone (206) 624-6334  
34 fax (206) 624-6348

35 ORIGINAL

1 THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE that the instant  
2 action should be dismissed with prejudice

3 DATED this \_\_\_ day of March, 2003

4 **NEWMAN & NEWMAN,  
5 ATTORNEYS AT LAW, LLP**

6 By

7   
Derek A. Newman, WSBA No 26967  
Roger Townsend, WSBA No 25525

8 1001 Fourth Avenue Plaza, Suite 2500  
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10 (206) 624-6334 phone  
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12 Attorneys for Defendants

13 DATED this 12 day of March, 2003

14 **LAW OFFICES OF DIETRICH BIEMILLER**

15 By

16   
Dietrich Biemiller, WSBA #32171  
D Michael Tomkins, WSBA #4979

17 18 **LAW OFFICES OF DIETRICH BIEMILLER**  
19 8420 Dayton Avenue North  
Seattle, Washington 98103-4227  
20 (206) 547-1000 phone  
(206) 297-5990 fax

21 Attorneys for Plaintiffs

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 18th day of March, 2003, I caused the foregoing  
**STIPULATION OF DISMISSAL WITH PREJUDICE (Fed. R. Civ. P. 41(1)(ii); PROPOSED  
ORDER OF DISMISSAL WITH PREJUDICE; AND CERTIFICATE OF SERVICE** to be served  
via the methods listed below on the following parties

**Via ABC Legal Messenger to:**

**Dietrich Biemiller, Esq.  
Law Offices Dietrich Biemiller  
8420 Dayton Avenue N.  
Seattle, WA 98103**

I declare under penalty of perjury under the laws of the United States and the State of Washington that the forgoing is true and correct and that this declaration was executed on March 18th, 2003, at Seattle, Washington

DIANA AU  
Diana Au